

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 8th day of December 2005

Bail application No. 1105 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Ishwar S/o Atar Singh
R/o Butrada
Police Station Babri
District Muzaffarnagar (U.P.)

.....Applicant

Versus

State of Uttaranchal

... Opposite Party

Arising out of Case Crime No. 249 of 2005
Under Sections 302, 307, 120-B of I.P.C.
Police Station Jwalapur
District Haridwar

By the Court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 249 of 2005 under Sections 302, 307, 120-B of I.P.C., Police Station Jwalapur, District Haridwar.

Heard Sri Manish Arora, learned counsel for the applicant, learned A.G.A. and perused the record.

Perusal of the First Information Report shows that it were the other co-accused who caused injuries on the side of complainant. No role has been shown in the F.I.R. against the applicant.

Counter affidavit has been filed by the learned A.G.A. and it has been stated in the counter affidavit that earlier a case was pending against the applicant and his sons who are the other co-accused in the present case and the applicant was pressurising the complainant party to withdraw that criminal case and on account of this reason this incident had taken place.

Without entering into the merit of the case, I am of the view that the applicant is entitled to be release on bail at this stage.

Let the applicant Iswar be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

08.12.2005
ASWAL